

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ABRAHAM HEREDIA-OLIVA,

Petitioner,

vs.

STATE OF WASHINGTON,

Respondent.

NO. CV-09-036-RHW

ORDER DISMISSING HABEAS ACTION

By Order filed March 20, 2009, the court directed Petitioner, a prisoner at the Federal Correctional Institution in Herlong, California, to show cause why this habeas action should not be dismissed for lack of jurisdiction, and as untimely. Petitioner is proceeding *pro se* and *in forma pauperis*; Respondent has not been served.

Petitioner did not respond to the court's directive and he has filed nothing further in this action. For the reasons set forth in the previous Order, **IT IS ORDERED** the Petition is **DISMISSED** for lack of personal jurisdiction, *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989), and as untimely under 28 U.S.C. § 2244(d).

///

///

1       **IT IS SO ORDERED.** The District Court Executive is directed to  
2 enter this Order, enter judgment, forward a copy to Petitioner at his  
3 last known address and close the file.

4       **DATED** this 29<sup>th</sup> day of April, 2009.

5                               *S/ Robert H. Whaley*

6                               ROBERT H. WHALEY  
7                               Chief United States District Judge

8  
9 Q:\CIVIL\2009\Heredia-Oliva\9cv36rhw-4-28-dishcjsx.wpd  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27